

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

BEN S. SACKETT,

Plaintiff,

C12-5353 TSZ

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

ORDER REMANDING CASE

The Court, having reviewed the Report and Recommendation of the Honorable James P. Donohue, United States Magistrate Judge, docket no. 21, to which no objection has been timely filed, does hereby find and ORDER:

(1) The Court ADOPTS the Report and Recommendation.

(2) The final decision of the Commissioner is REVERSED and this case is

REMANDED to the Social Security Administration for further proceedings consistent with the Report and Recommendation.

(3) The Clerk of the Court is directed to send copies of this Order to the parties and to Judge Donohue.

DATED this 10th day of May, 2013.

Thomas S. Bally

Thomas S. Zilly
United States District Judge